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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L' État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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No.	121	Poudouchéry	Mardi	1	Août 2017 (10 Sravana 1939)
No.		Puducherry	Tuesday	1st	August 2017

IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (SOUTH)
AT VILLIANUR

Present : Thiru N. UDAYAKUMAR,
Subdivisional Magistrate (South).

M.C. No. 104/2017, I.R. No. 07/2017 u/s. 144 Cr.P.C.

ORDER UNDER SECTION 144 of Cr. P.C.

To

Muthu @ Mottavandi @ Muthukrishnan (42),
S/o. Munusamy,
No. 37, Mariamman Koil Street,
G.N. Palayampet, Puducherry.

Whereas, it has been made to appear to me that you have trivial and scant respect to the judiciary and rule of law and are involved in various offences against public tranquility, offences affecting property and offences affecting human body and that you have become a perennial source of threat to the community, public peace and order;

And whereas, I am convinced of your involvement in various criminal cases under (1) Cr.No. 95/1994 under sections 324, 323 r/w 34 IPC dated 23-4-1994 of Villianur Police Station, Puducherry (2) Cr.No.189/1996 under section 324 IPC, dated 31-5-1996 of Villianur Police Station, Puducherry (3) Cr.No. 217/1996 under sections 324, 323 r/w 34 IPC, dated 30-6-96 of Villianur Police Station, Puducherry (4) Cr.No. 201/1997 under sections 147, 148, 302, 307 r/w 149 IPC, dated 10-7-1997 of Orleanpet Police Station, Puducherry (5) Cr.No. 362/1998 under sections 341, 324, 323, r/w 34 IPC, dated 13-12-1998 of Villianur Police Station, Puducherry (6) Cr.No. 287/2000 under sections 341, 427, 506(ii) IPC, dated 8-4-2000 of Villianur Police Station, Puducherry (7) Cr.No. 91/2000 under sections 332, 506 (ii) r/w 34 IPC of Orleanpet Police Station, Puducherry (8) Cr.No. 354/2002 under sections 147, 148, 307 r/w 34 IPC, dated 8-9-2002 of Villianur Police Station, Puducherry (9) Cr.No. 121/2005 under sections 323, 324, 506 (ii) IPC, dated 30-3-2005 of Villianur Police Station, Puducherry (10) Cr.No. 225/2006 under sections 341, 323, 506 (ii) r/w 34 IPC, dated 13-11-2006 of Reddiyarpalayam Police Station, Puducherry (11) Cr.No. 389/2006 under sections 324, 427, 506 (ii) r/w 34 IPC, dated 23-11-2006 of Villianur Police Station, Puducherry (12) Cr.No. 96/2007 under section 353 r/w 34 IPC, dated 29-3-2007 of Villianur Police Station, Puducherry (13) Cr.No. 62/2008 under section 307 r/w 34 IPC, dated 22-2-2008 of Villianur Police Station, Puducherry (14) Cr.No. 156/2008 under section 25 (1) (b) of Arms Act @ 25(a) of Arms Act, dated 17-5-2008 of Villianur Police Station, Puducherry (15) Cr.No. 200/2009 under sections 147, 148, 341, 307 r/w 149 IPC dated 24-11-2009 of Reddiyarpalayam Police Station, Puducherry (16) Cr.No. 185/2014 under section 326 r/w 34 IPC @ 307 IPC r/w 34 IPC @ 302 IPC r/w 34 IPC, dated 8-9-2014 of Villianur Police Station, Puducherry (17) Cr.No. 49/2015 under sections 4 and 5 of Explosive Substances Act r/w 34 IPC dated 6-3-2015 of Villianur Police Station, Puducherry (18) Cr.No. 155/2016 under sections 148,148,120(B), 302 r/w 149 IPC, dated 27-6-2016 of Villianur Police Station, Puducherry, and your vengeful acts along with your accomplices against your opponents has created panic in the minds of the people;

And whereas, the Station House Officer, Villianur Police Station has filed a case against you *vide* FIR. No.07/2017 under section 144 of Cr.P.C., dated 8-3-2017. It is stated by the Station House Officer, Villianur Police Station that you have formed a gang of rowdies and bent upon indulging in crime such as murder, assault, intimidation, rioting, theft, damage the property and disturbance to the public tranquility and order and you have created panic in the minds of local inhabitants and the farmers business community in the rural limit. It is also stated that you have become a source of terror among the public. As a result the people of the locality being afraid of you and do not come forward to lodge any complaint against you. It is also stated that even witnesses don't come forward voluntarily to give evidence against you in the cases where you are the accused;

And whereas, it is also stated in the FIR that the Station House Officer have received reliable information that you are desperate and is in dire need of money to maintain your group of rowdy elements and to meet expenses in connection with the trial in the pending criminal cases against you. It is also stated that you are hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening, but, the public do not come forward to lodge any complaint against you due to fear. It is further stated that you also earned displeasure among a section of other rowdy group in the area on account of the grudge against you and hence, rival group is also waiting opportunity to take revenge upon you;

And whereas, the Station House Officer, Villianur Police Station further submitted that you are in the habit of motivating young person to involve in various offences by using aruval, knife and explosive substances to attack the victims. You also violated the conditions imposed by the Criminal Courts and has scant respect to the judiciary and rule of law. It is also stated that if, you are allowed to reside in Puducherry limits, it is apprehended that you would continue to indulge in serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, theft, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Villianur Police Station has prayed to invoke provisions under section 144(i)(ii)(iii) against you not to enter into the jurisdiction of this Court for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order;

And whereas, summon was served for your appearance on 19-7-2017 to file your explanation/objection as to why the Subdivisional Magistrate (South), Villianur should not order to prevent you from entering into the south region under section 144 (3) of Cr.P.C. You have failed to appear before the Court on hearing dates and thereby violated the conditions imposed by Court;

And whereas, based on the report laid before me, I am of the opinion that if, you are allowed to reside within the limits of my jurisdiction, you will continue to indulge in and also motivate serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against you to prevent harm to life and properties of citizens and uphold public peace and order;

And whereas, I am satisfied that you are an habitual offender, that your activities will endanger human life and properties and your presence is a threat to public tranquility in my Subdivision. Therefore, an immediate action is required for curtailing your illegal activities in the locality;

Now therefore, based on the reasons stated above I, N. Udayakumar, Subdivisional Magistrate (South), Villianur in exercise of the powers conferred under Code of Criminal Procedure do hereby prohibit you under section 144 of Cr.P.C. from entering into the region under the jurisdiction of Subdivisional Magistrate Court (South) for a period of two months from the date of this Order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry.

At Villianur, dated this 26th day of July 2017.

N. UDAYAKUMAR,
Subdivisional Magistrate (South).

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